

Article 33: Amendments

Amendments:

ARTICLE XXXIII

AMENDMENTS

SEC. 33.1 TEXT AND MAP AMENDMENTS (as amended 09/30/07)

The Township Board may, from time to time, on recommendation from the Township Planning Commission, on its own motion, or on petition amend, supplement, modify or change the regulations of this Ordinance, including the district boundaries or other elements of the Official Zoning Map, in accordance with the Authority of Public Act 110 of 2006, as amended. Such actions shall be subject to the following procedure:

1. Initiation of Amendment

Amendments to the provisions of this Ordinance may be initiated by the Township Board or Planning Commission, or by petition from one (1) or more titleholders of property in the Township. An amendment to the zoning district boundaries contained on the official Zoning Map may be initiated by the Township Board or Planning Commission, or by the titleholder(s) of property subject to the proposed amendment.

2. Application

An amendment to this Ordinance, except those initiated by the Township Board or Planning Commission, shall be initiated by submission of a completed application form to the Township. In the case of an amendment to the official Zoning Map, the following information shall accompany the application form and fee:

- (a) A legal description and street address of the subject property, together with a survey and location map identifying the subject property in relation to surrounding properties.
- (b) The name and address of the titleholder(s) of the subject property, and a statement of the applicant's interest in the subject property, if not the owner in fee simple title.
- (c) The existing and proposed zoning district designation of the subject property.

3. Amendment Review Procedure

The amendment and application materials shall be reviewed in accordance with the following procedure:

- (a) **Technical Review.** Prior to Planning Commission consideration, if deemed necessary the proposed amendment and application materials shall be distributed to appropriate Township officials and staff for review and comment. If deemed necessary by the Planning Commission, the proposed amendment and application

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materials shall also be distributed to applicable outside agencies and designated Township consultants for review.

- (b) Public Hearing. **(as amended 9/30/07)** At least one (1) Public Hearing shall be held by the Planning Commission on a proposed amendment in order to acquaint the public and adjoining property owners with the proposal, and any party may appear in person or by agent or by attorney. Notice of the Public Hearing shall be published in a newspaper which circulates in the Township for the initial adoption of a Zoning Ordinance. Notice of subsequent text or map amendments shall take place in the following manner:

- 1) If an individual property or ten (10) or fewer adjacent properties are proposed for rezoning, the Planning Commission shall publish a notice of the rezoning in a newspaper which circulates in the Township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall:

- a) Describe the nature of the rezoning request.
- b) Indicate the property that is the subject of the rezoning request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- c) State when and where the rezoning request will be considered.
- d) Indicate when and where written comments will be received concerning the request.
- e) Include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.

- 2) If eleven (11) or more adjacent properties are proposed for rezoning, the Planning Commission shall publish a notice of the rezoning in a newspaper which circulates in the Township. The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall:

- a) Describe the nature of the rezoning request.

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- b) Indicate the property that is the subject of the rezoning request.
 - c) State when and where the rezoning request will be considered.
 - d) Indicate when and where written comments will be received concerning the request.
 - e) Include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.
- 3) Notice of the time and place of the Public Hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the clerk of the Charter Township of Plymouth for the purpose of receiving the notice of Public Hearing. The notice shall include the places and time at which the proposed text and any maps of the zoning ordinance may be examined.
- (c) **Planning Commission Recommendation.** Subsequent to the hearing, the Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the amendment, and shall forward its findings and recommendations to the Township Board, including any recommendations for modifications to the proposed amendment.
- (d) **Township Board Action.** Upon receipt of the report and recommendations from the Planning Commission, the Township Board shall consider the proposed amendment. The Township Board may approve or deny the amendment, or may make changes and refer the amendment back to the Planning Commission for further consideration.

SEC. 33.2 PETITIONS PREVIOUSLY DENIED

Where a prior petition for a change or amendment applying to a specific piece of property or a part of such property was denied by the Township Board, a new application for the same amendment shall not be accepted by the Planning Commission for consideration for a period of three hundred sixty five (365) days, unless the Planning Commission determines that one or more of the following conditions has been met:

- 1. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application.

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2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed.
3. The new application is materially different from the prior application.

SEC. 33.3 FEES

A fee as shall be determined by resolution of the Township Board shall be paid with each petition presented for a change or amendment to the Zoning Ordinance. Said fee shall cover the cost of preparing the amendment, review costs, notice of public hearing and advertising and printing.

END OF ARTICLE 33.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 33: Amendments
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXIII (33)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 33: Amendments

Amendments:

ALL AMENDMENTS TO ARTICLE XXXIII (33)

The following language was amended on 9/30/07

SEC. 33.1 TEXT AND MAP AMENDMENTS

The Township Board may, from time to time, on recommendation from the Township Planning Commission, on its own motion, or on petition amend, supplement, modify or change the regulations of this Ordinance, including the district boundaries or other elements of the official Zoning Map, in accordance with the authority of Public Act 184 of 1943, as amended. Such actions shall be subject to the following procedure:

The following language was amended on 9/30/07

- (b) Public Hearing. A Public Hearing shall be held by the Planning Commission on a proposed amendment in order to acquaint the public and adjoining property owners with the proposal, and any party may appear in person or by agent or by attorney.
 - 1) Notice of the hearing shall be given by two (2) publications in a newspaper which circulates in the Township; the first to be printed not more than thirty (30) days nor less than twenty (20) days before the hearing date; and the second not more than eight (8) days before the hearing date.
 - 2) If an individual property or several adjacent properties are proposed for rezoning, notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within a minimum of three hundred (300) feet of the boundary of the property in question, and to the occupants of all single- and two-family dwellings within three hundred (300) feet. The notice shall be given not less than eight (8) days before the date the amendment will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a dwelling, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

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- 3) The notice shall:
 - a) Describe the purpose of the hearing and nature of the proposed amendment.
 - b) Indicate the property which is the subject of any rezoning request.
 - c) State when and where the amendment will be considered.
 - d) Indicate when and where written comments will be received concerning the amendment.